

**IN THE COURT OF SESSION FOR GREATER BOMBAY**

**MISC. APPLICATION NO.53 OF 2018**

**IN**

**A.B.A. NO.1254 OF 2016**

**IN**

**P.M.L.A. CASE NO.4 OF 2015**

Mohit Singhal

...Applicant

Vs.

Directorate of Enforcement  
Through the Asst. Director,  
Mumbai Zonal Office, Mumbai

...Respondent

Mr. P. R. Yadav, Ld. Advocate for applicant.

Ms. Kalapana Chavan, Ld. SPP for State EOW/ respondent.

**CORAM : H.H.THE SPECIAL JUDGE**  
**SHRI. MILIND V. KURTADIKAR**  
**(C.R. No.33)**

**DATE : 6<sup>th</sup> February, 2018.**

**(Dictated and Pronounced in Open Court)**

**ORDER**

By way of this application, applicant / accused Mr. Mohit Singhal is seeking permission to travel abroad.

2. It is his submission that he is Managing Director of M/s. Astha Minmet India Pvt. Ltd. and M/s. Juggernaut Projects Pvt. Limited. He is one of the accused in Special P.M.L.A. Case No.4/15. As per bail order dated 7/2/17, he is directed to surrender his passport with the Investigating Agency and not to travel abroad without prior permission of this Court. He intend to go abroad i.e. to UAE alongwith his wife for

business purpose from 7/2/18 to 9/2/18. He has received invitation on 31/1/18. This is his third application to travel abroad. Accordingly, he prayed for permission to travel abroad for three days.

3. Respondent / E.D. has resisted the application by its say at Exh.2. It is submitted that no travelling details are given nor specific purpose is shown. No any documents are attached to show that he is personally required to travel. Application is filed at belated stage. The so called invitation is self generated. There is every possibility to flee away from the investigation and to avoid to face the trial. Accordingly, Ld. SPP appearing on behalf of respondent / E.D. prayed for rejection of the application.

4. It is a matter of record that as per bail order dated 7/2/17 he is directed to surrender his passport with the E.D. and not to travel abroad without prior permission of this Court. This application is filed at belated stage i.e. on 3/2/18. The said matter is assigned to this Court on 5/2/18 while the travelling schedule starts from 7/2/18. No any explanation is given as to why application is filed at belated stage. Even in the application, purpose is shown as business. However, no details are given as to how and for which purpose he required to travel abroad.

5. Today similar application filed by his wife is rejected. In the application it is mentioned that this is his third application to travel

abroad however, no further details are given whether earlier applications were allowed or rejected. Moreover, India has no extradition treaty with UAE. So considering overall observations, I am of the opinion that it is not a fit case to accord permission to travel abroad. Accordingly, the order.

**ORDER**

Misc. Application No.53/18 is hereby rejected.

Dt.6/2/2018

(Milind V. Kurtadikar)  
Special Judge,  
City Civil & Sessions Court,  
Gr. Bombay.

Order Dictated on : 6/2/2018  
Transcribed on : 6/2/2018  
Signed on

“ I affirm that the contents of this PDF file order are the same, word to word, as per the original order.”

Name of Steno with post : Mrs. M. A. Kale  
(Stenographer H.G.)

Name of the Judge (with Court No.) : H.H.J. Shri. M. V. Kurtadikar,Court No.33

Date of pronouncement of order : 6/2/2018

Order signed by the P.O. on : 6/2/2018

Order uploaded on : 6/2/2018

"Certified to be true and correct copy of the original signed Judgment / Order."

Upload date and time  
6/2/2018 4.52 p.m.

Name of Stenographer  
Mrs. M. A. Kale

**IN THE COURT OF SESSION FOR GREATER BOMBAY**

**MISC. APPLICATION NO.54 OF 2018**

**IN**

**A.B.A. NO.1749 OF 2013**

**IN**

**M.P.I.D. CASE NO.1 OF 2014**

Shilpa Mohit Singhal

...Applicant

Vs.

State of Maharashtra

Through EOW, Unit V, CB CID, Mumbai ...Respondent

Mr. P. R. Yadav, Ld. Advocate for applicant.

Ms. Kalapana Chavan, Ld. SPP for State EOW/ respondent.

**CORAM : H.H.THE SPECIAL JUDGE**  
**SHRI. MILIND V. KURTADIKAR**  
**(C.R. No.33)**

**DATE : 6<sup>th</sup> February, 2018.**

**(Dictated and Pronounced in Open Court)**

**ORDER**

By way of this application, applicant / accused Mrs. Shilpa Mohit Singhal is seeking permission to travel abroad.

2. It is her contention that by way of bail order dated 12/8/14 she is directed to surrender her passport before the Investigating Agency and not to travel abroad without prior permission of this Court. Accordingly, she has surrendered her passport before the EOW. Now she and her husband Mr. Mohit Singhal want to travel abroad from 7/2/2018 till 9/2/2018 i.e. to Dubai. They will stay at Gateway Hotel at UAE. The copy of tickets and hotel reservation are attached with the

application. This is her second application to travel abroad. Accordingly, she prayed for permission to travel abroad.

3. The EOW has resisted the application by its say at Exh.2. It is alleged that despite direction in bail order to deposit the passport with the Investigating Agency, applicant has not deposited her passport with the I.O. So also, no reason is shown in the application as to what for she intend to go Dubai alongwith her husband. The application is filed at 11<sup>th</sup> hour with intention not to give sufficient time for the Investigating Agency to reply the application. India has no extradition treaty with Dubai and UAE. Therefore, it is quite impossible to bring accused from there. Considering the huge liability of their Companies M/s. Astha Minmet India Pvt. Ltd. and M/s. Juggernaut Projects Pvt. Limited of near about Rs.243 Crores, there is every possibility that they may not return back and avoid the trial. At last, the Investigating Agency has prayed to reject the application.

4. No doubt, it is a matter of record that as per bail order dated 12/8/2014, applicant / accused is directed to surrender her passport with EOW and shall not leave country without previous permission of the Court. In response to allegation of I.O. that she has not surrender the passport, it is submitted that initially she has surrendered her passport and with the permission of Court she has taken it back for renewal purpose. As that work is not over, she could not surrender her passport to I.O.

5. Admittedly, in the application nowhere the purpose of visit is

mentioned. So also, application is filed at belated stage i.e. on 3/2/2018 while the matter is assigned to this Court on 5/2/2018. As per application the travel schedule is from 7/2/2018. No explanation is given as to why application is filed at belated stage.

6. While arguing the matter, Ld. SPP invited my attention towards earlier order dated 23/5/2017 in MA No.289/17 filed by present applicant for similar purpose. I have gone through the copy of said order. In para No.5 it is observed by this Court that one previous application MA No.488/15 of the applicant for travelling abroad is rejected. Relying on said submission this Court subsequently also rejected MA No.289/17. It means earlier for twice applications were rejected filed on similar ground. This material fact is not disclosed in the application nor during course of argument. It goes to show that applicant has not followed rule of equity. Therefore, considering above observations and in the light of liability of near about Rs.243 Crores against M/s. Astha Minmet India Pvt. Ltd. and M/s. Juggernaut Projects Pvt. Limited of which applicant seems to be Director alongwith her husband, I am of the opinion that it is not a fit case to grant permission to travel abroad. Accordingly, the order.

**ORDER**

Misc. Application No.54/18 is hereby rejected.

Dt.6/2/2018

(Milind V. Kurtadikar)  
Special Judge,  
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